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**CITY HALL**

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cityoflasvegas  
lasvegasnevada.gov

November 18, 2021

Mr. Bruce Langson  
Benchmark 13th Street Investment, LLC  
7475 West Sahara Avenue, Suite #100  
Las Vegas, Nevada 89117

**RE: 21-0533-VAR1 AND 21-0533-SDR1  
CITY COUNCIL MEETING OF NOVEMBER 17, 2021**

Dear Mr. Langson:

The City Council at a regular meeting held on **November 17, 2021** voted to **APPROVE** the following Land Use Entitlement project requests on 0.29 acres on the west side of 13th Street, approximately 160 feet south of Bonanza Road (APN 139-35-111-003), R-3 (Medium Density Residential) Zone, Ward 3 (Diaz).

- **21-0533-VAR1** - VARIANCE - TO ALLOW 12-FOOT TALL RETAINING WALLS WHERE SIX FEET IS ALLOWED AND AN OVERALL PERIMETER WALL/FENCE HEIGHT OF 16 FEET WHERE 12 FEET IS THE MAXIMUM ALLOWED
- **21-0533-SDR1** - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED TWO AND THREE-STORY, EIGHT-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER STANDARDS

**21-0533-VAR1** approval is subject to the following conditions:

**Planning**

1. A Variance is hereby approved to allow a maximum 16-foot tall perimeter wall along the west property line with a retaining wall of up to 12 feet, and maximum 14-foot tall perimeter walls along the north and south property lines with retaining walls of up to 10 feet where 12-foot walls with up to six feet of retaining are allowed.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (21-0533-SDR1) shall be required, if approved.

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3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**21-0533-SDR1** approval is subject to the following conditions:

**Planning**

1. Approval of and conformance to the Conditions of Approval for Variance (21-0533-VAR1) shall be required, if approved.
2. Prior to issuance of permits, an agreement satisfactory to the City Attorney shall be recorded stating the terms and conditions allowing for shared parking and refuse control between Lots 4 and 5, Block 4 of 14th Street City Addition to the City of Las Vegas (Book 1, Page 82 of Plats).
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 08/23/21, except as amended by conditions herein.
5. A Waiver from Title 19.06.110 is hereby approved, to allow zero-foot perimeter landscape buffers along the north and south interior and exterior lot lines where five feet is required.

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6. An Exception from Title 19.08.110 is hereby approved, to allow no trees in the parking lot where four, 24-inch box shade trees are required.
7. An Exception from Title 19.08.110 is hereby approved, to allow one tree in the perimeter buffer along the west property line where four, 24-inch box trees are required.
8. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
10. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.
11. The minimum distance between buildings shall be 10 feet.
12. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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14. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

### **Public Works**

16. Concurrent with development, construct all incomplete half-street improvements on 13th Street. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
17. If a mapping action to consolidate the lots for this site is not recorded, provide proof of perpetual, irrevocable vehicular access rights between the two existing lots.
18. Landscape and maintain all unimproved right-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Submit a License Agreement for landscaping and private improvements in the 13th Street public right-of-way, if any, prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property within the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (229-4836).

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20. If a gate is subsequently constructed, access to this site shall be by remote operated devices. No call box will be allowed.
21. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

The Notice of Final Action was filed with the Las Vegas City Clerk on November 18, 2021.

Sincerely,



Seth T. Floyd  
Director of Community Development  
Department of Planning

STF:PL:clb

cc: Ms. Petya Balova  
Balova Engineering  
7495 West Azure Drive, Suite #140  
Las Vegas, Nevada 89130